

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		10533353	
	Filing Date		2005-06-16	
	First Named Inventor	Eric F. Bernstein		
	Art Unit	1614		
	Examiner Name	Not Assigned		
Attorney Docket Number		BERN-0082		

**U.S. PATENTS**

Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
/A.P./	1	5628987		1997-05-13	Fuller	

If you wish to add additional U.S. Patent citation information please click the Add button.

**U.S. PATENT APPLICATION PUBLICATIONS**

Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Published Application citation information please click the Add button.

**FOREIGN PATENT DOCUMENTS**

Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> j	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
/A.P./	1	WO9922741			1999-05-14	Von Borstel		<input type="checkbox"/>
/A.P./	2	FR2620024A1			1989-03-10	Greff		<input checked="" type="checkbox"/>
/A.P./	3	DE19830211A1			2000-01-13	Widulle		<input checked="" type="checkbox"/>

/Anna Pagonakis/

10/02/2008

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number		10533353
Filing Date		2005-06-16
First Named Inventor	Eric F. Bernstein	
Art Unit	1614	
Examiner Name	Not Assigned	
Attorney Docket Number	BERN-0082	

/A.P./	4	EP0380335A2			1990-08-01	Hubaud		<input type="checkbox"/>
--------	---	-------------	--	--	------------	--------	--	--------------------------

If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1		<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

Examiner Signature	/Anna Pagonakis/	Date Considered	10/02/2008
--------------------	------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10533353
Filing Date	2005-06-16
First Named Inventor	Eric F. Bernstein
Art Unit	1614
Examiner Name	Not Assigned
Attorney Docket Number	BERN-0082

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☒ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	//Kathleen A. Tyrrell//	Date (YYYY-MM-DD)	2007-05-11
Name/Print	Kathleen A. Tyrrell	Registration Number	38,350

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



European Patent Office  
Postbus 5818  
2280 HV RUSWIJK  
NETHERLANDS  
Tel.: +31 70 340 2040  
Fax: +31 70 340 3016

Europäisches  
Patentamt

European  
Patent Office

Office européen  
des brevets

Peebles, Katrina  
Ablett & Stebbing,  
Caparo House, 101-103 Baker Street  
London W1U 6FQ  
GRANDE BRETAGNE



EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date

12.02.07

Reference B663	Application No./Patent No. 03810807.2 - 1219 PCT/US0334250
Applicant/Proprietor Bernstein, Eric F.	

#### COMMUNICATION

The European Patent Office herewith transmits as an enclosure the supplementary European search report under Article 157(2)(a) EPC for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- ☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

#### Refund of the search fee

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent  
Office

# SUPPLEMENTARY EUROPEAN SEARCH REPORT

Application Number  
EP 03 81 0807

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
X	FR 2 620 024 A1 (DERMATOLOGIQUES ET [FR]) 10 March 1989 (1989-03-10) * claims 1,2,5,6; examples 1,3,5 *	1-6	INV. A61K7/42
X	EP 0 380 335 A2 (LANCASTER SA [MC]) 1 August 1990 (1990-08-01) * claims 1-7; examples 1,2 *	1-6	
X	DE 198 30 211 A1 (KADEN BIOCHEMICALS GMBH [DE]) 13 January 2000 (2000-01-13) * page 3, line 3 - line 5; claims 1-10; examples 1,3 *	1-6	
X	US 5 628 987 A (FULLER BRYAN B [US]) 13 May 1997 (1997-05-13) * claims 1-10 *	1-6	
X	WO 99/22741 A (PRO NEURON INC [US]) 14 May 1999 (1999-05-14) * page 23, line 20 - page 24, line 9; claims 1,2,13,14,55-66,133,135 *	1-6	
<p>The supplementary search report has been based on the last set of claims valid and available at the start of the search.</p>			<p>TECHNICAL FIELDS SEARCHED (IPC)</p> <p>A61K</p>
Place of search		Date of completion of the search	Examiner
The Hague		31 January 2007	Willekens, Georges
CATEGORY OF CITED DOCUMENTS			
<p>X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document</p>		<p>T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons &amp; : member of the same patent family, corresponding document</p>	

# ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 03 81 0807

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

31-01-2007

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
FR 2620024	A1	10-03-1989	NONE		
-----					
EP 0380335	A2	01-08-1990	CA	2008560 A1	27-07-1990
			PT	92966 A	31-07-1990
			US	5075102 A	24-12-1991
-----					
DE 19830211	A1	13-01-2000	NONE		
-----					
US 5628987	A	13-05-1997	US	5554359 A	10-09-1996
			US	5589161 A	31-12-1996
			US	5591423 A	07-01-1997
-----					
WO 9922741	A	14-05-1999	AU	748771 B2	13-06-2002
			AU	1298099 A	24-05-1999
			CA	2308385 A1	14-05-1999
			CN	1285751 A	28-02-2001
			EP	1032405 A1	06-09-2000
			JP	2001521901 T	13-11-2001
			NZ	504113 A	26-07-2002
			US	6255290 B1	03-07-2001
			US	6403565 B1	11-06-2002
			US	2002006913 A1	17-01-2002
-----					